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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : UMESSH J. AMIN, ET AL.

RECEIVED

Serial No. : 09/707,671

OCT 27 2003

Filed : November 7, 2000

Technology Center 2600

For : ACTIVATION AND REMOTE MODIFICATION OF WIRELESS
SERVICES IN A PACKET NETWORK CONTEXT

Group No. : 2683

Examiner : A. T. Harry

MAIL STOP FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed June 18, 2003, Applicant provisionally elects the claims of Group I (claims 1-7, 12-17, 18-21, 22-27, 41, and 42-52) WITH TRAVERSE.

A restriction requirement must provide the particular factual basis for asserting that restriction is necessary: 35 USC §121 indicates that a restriction is proper when "two or more independent and distinct inventions are claimed in one application..." While the Examiner has made a statement that the inventions are distinct, no showing at all has been made that the inventions are independent. MPEP 802.01 states, "The term "independent" (i.e., not dependent) means that there is no disclosed relationship between the two or more subjects disclosed, that is, they are unconnected

in design, operation, or effect, for example: (1) species under a genus which species are not usable together as disclosed; or (2) process and apparatus incapable of being used in practicing the process."

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at manderson@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.



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Dated: 10/20/03
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